

HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 545(S/S) 2006

Smt. Kamla Joshi w/o Mahesh Ch. Joshi,
Presently posted as Assistant Teacher,
Primary School-Dhonrawat, Champawat. -----Petitioner.

Versus

1. State of Uttaranchal through the Director,
Basic Education, Uttaranchal, Dehradun,
2. District Education Officer, Champawat,
3. Additional District Education Officer (Basic),
Champawat. -----Respondents.

Mr. J.C. Pandey, holding brief of Sri K.N. Joshi, learned counsel for the petitioner,
Sri Paresh Tripathi, learned Standing Counsel for the respondents/State.

Hon'ble M.M. Ghildiyal, J.

Heard Sri J.C. Pandey, holding brief of Sri K.N. Joshi,
learned counsel for the petitioner and learned Standing Counsel
for the State/respondents.

The present writ petition has been filed by the petitioner
for the following reliefs:-

- i. Issue a writ, order or direction in the nature of mandamus directing the Additional District Education Officer (Basic), Champawat,/ respondent no. 3 to comply the order of Director of Education Basic, Uttaranchal, Dehradun dated 07.03.2006,
- ii. Issue a writ, order or direction in the nature of mandamus directing the Additional District Education Officer (Basic) Champawat/ respondent no. 3 to amend the promotion order dated 21.05.2005 relating to the petitioner and give promotion appointment to

the petitioner as Assistant Teacher in Junior High School, Chaura Rajpur, Champawat where the post of Assistant Teacher is lying vacant,

- iii. Issue any suitable writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case,
- iv. Award the cost of petition.

During the course of arguments, counsel for the petitioner has confined his prayer that he has already moved a representation before the Director, School Education, Uttaranchal, Dehradun on 07.03.2006 and an endorsement has also been made on his representation by the Director directing the District Education Officer/Addl. District Education Officer, Champawat to consider the grievances of the petitioner in accordance with law.

Counsel for the petitioner has submitted that inspite of the order passed by the Director of Education, Uttaranchal the respondents have yet not taken any decision on the representation of the petitioner, therefore, the respondents may be directed to take decision on the same at the earliest.

The prayer is innocuous.

Accordingly, I direct the respondent no. 3/Addl. District Education Officer, (Basic) Champawat to take decision on the representation of the petitioner dated 07.03.2006, annexure no. 6 to the writ petition within a period of three weeks from the date of receipt of a certified copy of this order.

With this direction, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

August 4, 2006:

NCM: